



March 31, 2016

Delivered via email to: sgmps@water.ca.gov

California Department of Water Resources
Attn: Lauren Bisnett, Public Affairs Office
P.O. Box 942836
Sacramento, CA 94236

Subject: Draft GSP Emergency Regulations Public Comment

Thank you for the opportunity to provide comments on the draft Emergency Regulations for Groundwater Sustainability Plans (Regulations). The majority of the City of Santa Rosa overlies the Santa Rosa Plain groundwater basin, which is defined as a medium priority basin under the Sustainable Groundwater Management Act (SGMA). The City has been working closely with Sonoma County, the Sonoma County Water Agency and other local public agencies that overlie the Santa Rosa Plain groundwater basin to form a Groundwater Sustainability Agency (GSA) for the basin.

The City of Santa Rosa appreciates the Department of Water Resource's diligence in developing the Regulations pursuant to the SGMA. We offer the following comments on the draft Regulations:

Relationship between SGMA and State and Federal Laws – The draft regulations contain many references to activities and requirements that are regulated by state and federal laws. The draft regulations should clarify the relationship between the Groundwater Sustainability Plan (GSP) and state and federal laws and require GSAs to coordinate and gather information from the agencies that are responsible for maintaining compliance with these regulations.

GSP Compliance and deference to local agencies - SGMA contains specific provisions for ensuring that groundwater sustainability will be achieved and outlines a strategy for State Water Board intervention should sustainability not be achieved. The draft regulations should support local efforts to achieve sustainability by recognizing local expertise and knowledge. DWR's review of GSPs should focus on compliance with statute and

regulations rather than determining whether a GSP will achieve sustainability for the basin. Suggest changes to § 350.2 (b) and (c); § 351 (ae); and §355.6 (b) (5) to clarify that DWR's review will consist of determining compliance with statute and regulations.

§ 352.6 (a) (2) – Requiring land surface elevations to be measured and reported to an accuracy of at least 0.1 feet will prove challenging and costly in many areas where benchmarks are not readily available. Suggest increasing to accuracy of 0.5 feet or best available information.

§ 354.8 (g) (8) – Requires a description of how the implementation of existing land use plans outside the basin could affect the ability of the GSA to achieve sustainable groundwater management for any area the GSA determines to be linked to the hydrology of the basin governed by the GSP. DWR has previously declined to extend groundwater basin boundaries to match those of the contributing watershed. This subsection requires consideration of land use planning on a watershed basis in which those boundaries may extend substantially beyond those of the groundwater basin. This creates a discontinuity and suggest deleting this section.

§ 354.16 – Requires the GSP to characterize historical basin conditions prior to January 1, 2015, but also requires the inclusion of historical basin conditions that existed on January 1, 2015. Clarify if conditions on the day of January 1, 2015 are required.

§ 354.16 (e) and (f) – Clarify that DWR will supply land subsidence data and identification of interconnected surface water systems and groundwater dependent ecosystems for the entire State as specified in § 353.2.

§ 354.34 (h) (6) (2) – Requiring identification of approximate date and location where ephemeral or intermittent flowing streams and rivers cease to flow is overly prescriptive and will change year by year based on local hydrologic conditions. Suggest ability to provide an average range of dates and locations to accommodate annual variability.

§ 354.8 (a) (1) – Groundwater basin boundaries are not consistent with parcel boundaries. Clarify that the GSA has the discretion to include the entire parcel if any portion of the parcel overlies the basin boundary.

§ 355.4 (a) (3) – Requires the GSP to cover the entire basin. Some basins will contain multiple GSAs and corresponding multiple GSPs. Clarify that the GSP only needs to cover the area of the basin that the GSP overlies.

§ 356.10 – The GSP shall be submitted at least every five years and the annual report every year. Recommend the annual report not be required in years when the GSP is to be submitted.

Thank you for the opportunity to provide comments on the draft regulations. Should you have any questions regarding our comments, please contact Rocky Vogler, Senior Water Resources Planner, at 707-543-3938 or via email at rvogler@srcity.org.

Sincerely,

A handwritten signature in blue ink, appearing to read "Linda Reed".

Linda Reed

Acting Director – Santa Rosa Water